

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE**

)	
THERMO FINNIGAN LLC,)	
)	
Plaintiff and)	
Counterclaim Defendant,)	
)	
v.)	C.A. No. 04-1505-GMS
)	
APPLERA CORPORATION,)	
)	
Defendant and)	
Counterclaim Plaintiff.)	
)	

DEFENDANT'S NOTICE OF DEPOSITION OF JAMES L. POWERS

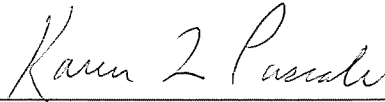
TO: Stephen M. Muller
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PLEASE TAKE NOTICE that Defendant Applera Corporation will take the deposition upon oral examination of James L. Powers at a date and time mutually agreed to by the parties, and continuing thereafter until completed, at the offices of Kenyon & Kenyon LLP, River Park Towers 333, West San Carlos Street, Suite 600, San Jose, California 95110, or such other place agreed to by the parties, before a Notary Public or other officer fully authorized to administer oaths. The examination will be recorded by videographic, audio and/or stenographic means.

You are invited to attend and cross-examine.

Dated: April 10, 2006



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CERTIFICATE OF SERVICE

I, Karen L. Pascale, Esquire, hereby certify that on April 10, 2006, I caused to be electronically filed a true and correct copy of the foregoing document with the Clerk of the Court using CM/ECF, which will send notification that such filing is available for viewing and downloading to the following counsel of record:

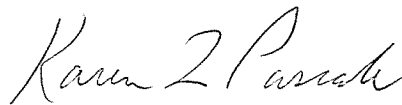
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I further certify that on April 10, 2006, I caused a copy of the foregoing document to be served by hand delivery and e-mail on the above-listed counsel of record and on the following non-registered participants in the manner indicated:

By E-Mail and FedEx

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